

<b>TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>		ATTORNEY'S DOCKET NO. <b>690121.410USPC</b>
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) <b>10/594,349</b>
INTERNATIONAL APPLICATION NO. <b>PCT/JP04/02696</b>	INTERNATIONAL FILING DATE <b>March 3, 2004</b>	PRIORITY DATE CLAIMED <b>March 4, 2003</b>
TITLE OF INVENTION <b>COMPOSITION AND METHOD FOR INCREASING EFFICIENCY OF INTRODUCTION OF TARGET SUBSTANCE INTO CELL</b>		
APPLICANT(S) FOR DO/EO/US <b>MIYAKE, Masato; YOSHIKAWA, Tomohiro; UCHIMURA, Eiichiro; MIYAKE, Jun</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.</li> <li>4. <input type="checkbox"/> The US has been elected (Article 31).</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> has been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is attached hereto.</li> <li>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).</li> </ol> </li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).</li> <li>b. <input type="checkbox"/> have been communicated by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
<b>Items 11 to 20 below concern document(s) or information included:</b>		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A preliminary amendment.</li> <li>14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76</li> <li>15. <input type="checkbox"/> A substitute specification.</li> <li>16. <input checked="" type="checkbox"/> A power of attorney and/or change of address letter.</li> <li>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825.</li> <li>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).</li> <li>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).</li> <li>20. <input checked="" type="checkbox"/> Other items or information: Return Receipt Postcard; Extension of Time (+1); Copy of Notice to File Missing Requirements</li> </ol>		

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/594,349		INTERNATIONAL APPLICATION NO. PCT/JP04/02696		ATTORNEY'S DOCKET NUMBER 690121.410USPC	
The following fees are submitted					
21. <input type="checkbox"/> Basic national fee (37 CFR 1.492(a)).....				\$ 300.00	\$ .00
22. <input type="checkbox"/> Examination fee (37 CFR 1.492(c)) If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$ 0.00	\$ .00
All other situations .....				\$200.00	\$ .00
23. <input type="checkbox"/> Search fee (37 CFR 1.492(b)) If the written opinion of the ISA/US or the international preliminary examination report prepared by the IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....				\$ 0.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority.....				\$100.00	
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB.....				\$400.00	\$ .00
All other situations .....				\$500.00	\$ .00
<b>TOTAL OF 21, 22 AND 23 =</b>					\$ .00
<input checked="" type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE		
347 - 100 = 247	247/50 =	5	X \$250.00	\$1250.00	
Surcharge of \$130.00 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).				\$ .00	
Claims	Number Filed	Number Extra	Rate		
Total Claims	41 - 20 =	21	x \$ 50.00	\$1050.00	
Independent Claims	6 - 3 =	3	x \$ 200.00	\$600.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360.00	\$ .00	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$2900.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.				\$ .00	
<b>SUBTOTAL =</b>				\$2900.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$ .00	
<b>TOTAL NATIONAL FEE =</b>				\$2900.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$ .00	
Fee for extension of time to respond to Notification of Missing Requirements (37 CFR 1.136(a)). A Petition for Extension of Time is included.				\$450.00	
<b>TOTAL FEES ENCLOSED =</b>				\$3350.00	
				Amount to be refunded:	
				Amount to be	

05/31/2007 GFREY1 Cl 00000114 191098 10594349

01 FC:1681 1250.00 DA  
02 FC:1615 1050.00 DA  
03 FC:1614 600.00 DA

U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/594,349	INTERNATIONAL APPLICATION NO. PCT/JP04/02696	ATTORNEY'S DOCKET NUMBER 690121.410USPC
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a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☒ Please charge my Deposit Account No. **19-1090** in the amount of **\$3350** to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. **19-1090**. A duplicate copy of this sheet is enclosed.

d. ☐ Fees are to be charged to a credit card. **WARNING: Information on this form may become public. Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

e. ☒ If there is a deficiency in the basic national fee, the Commissioner is authorized to charge such deficiency to Deposit Account No. **19-1090**. A duplicate of this sheet is enclosed. This is **not** a general authorization to charge the Deposit Account for any extra claim, examination, search or extra sheet fees.

**NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.**

SEND ALL CORRESPONDENCE TO:

William T. Christiansen, Ph.D.  
Seed Intellectual Property Law Group PLLC  
701 5<sup>th</sup> Avenue, Suite 5400  
Seattle, WA 98104  
United States of America  
(206) 622-4900

*Will Christiansen*  
51,909 for  
SIGNATURE

William T. Christiansen, Ph.D.  
NAME

44,614  
REGISTRATION NUMBER

964146\_1.DOC

(07/05)

EXPRESS MAIL NO. EV887983372US

WTC



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/594,349	Masato Miyake	690121.410USPC

INTERNATIONAL APPLICATION NO.
PCT/JP04/02696

I.A. FILING DATE	PRIORITY DATE
03/03/2004	03/04/2003

500  
SEED INTELLECTUAL PROPERTY LAW GROUP PLLC  
701 FIFTH AVE  
SUITE 5400  
SEATTLE, WA 98104

RECEIVED

SEQ List:  
March 29, 2007

CONFIRMATION NO. 5580

FEB 01 2007 ENTERED IN DOCKET 371 FORMALITIES LETTER



\*OC000000022187836\*

Seed Intellectual Property  
Law Group PLLC

ENTERED IN DOCKET

Date Mailed: 01/29/2007

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/26/2006
- Copy of the International Search Report filed on 09/26/2006
- Biochemical Sequence Listing filed on 09/26/2006
- U.S. Basic National Fees filed on 09/26/2006
- Priority Documents filed on 09/26/2006
- Specification filed on 09/26/2006
- Claims filed on 09/26/2006
- Abstracts filed on 09/26/2006
- Drawings filed on 09/26/2006
- Paper nucleotide sequence listings filed on 09/26/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$1450** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$2700** for a Large Entity:

- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- The specification and drawings contain more than 100 pages. Applicant owes **\$1250** for **247** pages in excess of **100** pages for a non-small entity.
- Total additional claim fee(s) for this application is **\$ 1450**
  - **\$400** for **2** independent claims over 3.
  - **\$1050** for **21** total claims over 20.

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

**For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:**

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ [ebc@uspto.gov](mailto:ebc@uspto.gov)

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.  
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at **1-866-217-9197** or visit our website at <http://www.uspto.gov/ebc>.

**If you are not using EFS-Web to submit your reply, you must include a copy of this notice.**

MAMIE P PERSON

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Telephone: (703) 308-9140 EXT 227

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/594,349	PCT/JP04/02696	690121.410USPC

FORM PCT/DO/EO/905 (371 Formalities Notice)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Masato Miyake et al.  
Application No. : 10/594,349  
Int'l Filing Date : March 3, 2004  
For : COMPOSITION AND METHOD FOR INCREASING EFFECIENCY  
OF INTRODUCTION OF TARGET SUBSTANCE INTO CELL

Docket No. : 690121.410USPC

Date : May 29, 2007

Mail Stop PCT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

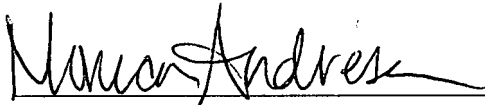
DECLARATION

Sir:

I, Monica Andresen, do hereby declare that, to the best of my knowledge, the content of the previously submitted paper entitled "Sequence Listing" and the computer readable copy contained within the compact disc, enclosed herewith, are the same.

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Dated this 29<sup>th</sup> day of May 2007.



Monica Andresen  
Biotechnology Paralegal

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(206) 622-4900  
FAX (206) 682-6031